

Docket No.: ER 1604.02 US  
USSN: 09/874,450

PATENT  
Art Unit: 2673

#### **REMARKS**

Claims 1, 13, 14, 17, 27, 33-35, 45, and 67-70 are pending in the present application.

This Amendment is in response to the Office Action mailed September 24, 2003. In the Office Action, the Examiner rejected claims 1, 13, 14, 17, 27, 33-35, 45, and 67-70 under 35 U.S.C. § 112. The Examiner rejected claims 1, 13, 14, 17, 27, 33-35, 45, and 67-70 under 35 U.S.C. § 103.

Applicant has previously submitted new drawings 6-11 and amendments to the specification. The Examiner rejected the new drawings and amendments to the specification. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

#### **I. REJECTIONS UNDER 35 U.S.C. § 112**

The Examiner rejected claims 1, 13, 14, 45, 67, and 68 under 35 USC 112. Claims 1, 13, 14, 45, 67, and 68 do not add new matter as the Examiner suggested. Applicant has considered the Examiner's argument on page 4 of the Office Action but is unable to find any significance in a difference between "accessing the functionality of a consumer device" and "controlling multi-user access to the functionality of consumer devices". Certainly the latter is a subset of the former, because if multiple users access to the device is controlled then the multiple users will access the device.

Moreover, applicant disagrees that claims 13, 27, 28, 33-35, 69 and 70 do not contain sufficient information regarding the claimed features. The features in those claims would be understood by one skilled in the art. For those reasons, the rejection with regard to 35 U.S.C. § 112 is moot.

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## II. REJECTIONS UNDER 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 1, 13, 14, 17, 27, 33-35, 45, and 67-70 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,990,803 issued to Park ("Park") in view of U.S. Patent No. 5,920,642 issued to Merjanian ("Merjanian"), and further in view of Applicant's Admitted Prior Art ("AAPA"). Applicant respectfully traverses the rejections for the following reasons.

Park discloses a multifunctional remote controller for controlling multiple appliances. The remote controller includes a menu selector for displaying predetermined menus on the screen, a controller for outputting data, and a data transmitter for transmitting data of the controller (Park, column 1, lines 26-32). Park also discloses a control method comprising the steps of displaying menus on the screen, selecting a desired menu and performing a mode operation corresponding to the selected menu (Park, column 1, lines 37-40). Park, however, does not disclose establishing a system state being a previous used state by the first user.

Merjanian discloses a remote control in combination with a set-top box (Merjanian, column 3, lines 27-28). The set-top box stores the preference setting for several operators to allow the preference setting to be adjusted to each operator (Merjanian, column 3, lines 47-51). Unlike the present invention, the preference setting in Merjanian, however, is not the state that was the previous used state by the first user the last time he/she had access to the remote control.

AAPP discloses that if a second user wants his or her own preferences in the user interface, he or she would have to start from the initial screen or system state. In contrast, the present invention allows the second user to be at the state

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he/she previous used, rather than having to start from the initial screen or state after he/she logged on.

Park, Merjanian, and AAPP, taken alone or in any combination, do not disclose, suggest, or render obvious establishing a system state being a previous used state by the first user. This aspect of the invention is supported in the specification in Fig. 4 and on page 5 (lines 18-20), page 6 (line 10-13), page 8 (lines 20-22), and page 13 (lines 7-11).

Therefore, Applicant believes that the claimed invention is distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. § 103(a) be withdrawn.

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**CONCLUSION**

Applicant requests that the Examiner enter the amendments to the specification and the new drawing figures 6-11 submitted in the previous office action response. Applicant further asserts that the claims are in a condition for allowance for the reasons stated above.

If the Examiner has any further questions, please do not hesitate to contact me. The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,

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